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COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 22nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 12 February 1991, at 3.30 p.m.

Chairman: Mr. MARTIUS (Germany)
later: Mr. BERNALES BALLESTEROS (Peru)

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The meeting was called to order at 3.55 p.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) CO-ORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

(agenda item 11) (E/CN.4/1991/21 and Add.1, 22 and 23; E/CN.4/1991/NGO/1 and 8; A/45/564 and Add.1, 590 and 807; A/C.5/45/66; A/RES/45/155 and 180; E/1990/50)

1. Mr. MARTENSON (Under-Secretary-General for Human Rights), introducing the agenda item, said that it was given sustained attention by the Commission at each of its sessions. In accordance with General Assembly resolution 32/130, of 16 December 1977, the Commission had decided to modify the title of the item by adding sub-item (a).

2. While continuing to accord an important role to that question, the Commission was increasingly extending its activity to other areas, such as the overall analysis requested by the General Assembly in resolution 32/130 and other activities relating thereto.

3. In that resolution, the General Assembly had formulated several concepts which should be taken into account in the approach to future work on human rights questions within the United Nations system. He drew attention to paragraph 2 (a) in that regard.

4. He also drew attention to General Assembly resolution 45/96, paragraphs 1, 2 and 4, in which the General Assembly reiterated its request that the Commission should continue its current work on overall analysis, including the question of the programme and working methods of the Commission. The General Assembly had further affirmed that a primary aim of international co-operation in the field of human rights was a life of freedom, dignity and peace for all peoples and for every human being, that human rights and fundamental freedoms were indivisible and interrelated and that the promoting and protection of one category of rights should never exempt or excuse States from promoting and protecting the others.

5. Within the framework of sub-item (a), the General Assembly and the Commission had taken action on various issues.

6. The significant changes in international relations, the rise in the importance of human rights in international affairs and the significant reduction of ideological conflicts in the discussion of human rights issues which had taken place over the past few years had led to the unanimous decision by the General Assembly at its previous session to convene a World Conference on Human Rights in 1993. It was to be hoped that the Conference

would consolidate the advances made, review the existing situation and chart the main direction for the future. In that connection, the Secretary-General had appointed him, in his capacity as Under-Secretary-General for Human Rights, to be Secretary-General of the World Conference.

7. The objectives of the Conference, broadly speaking, were to review and assess progress in human rights since the adoption of the Universal Declaration of Human Rights, to identify obstacles to progress and how they might be overcome, to examine ways to improve the implementation of human rights and to make concrete recommendations for improving the effectiveness of United Nations activities and mechanisms and for securing the resources needed to that end. An important element was the examination of the relation between development and the enjoyment of all human rights and creating the conditions necessary to the enjoyment of all human rights.

8. The General Assembly had established that the Preparatory Committee would deal with the agenda, date, duration, venue and participation of the Conference, the preparatory meetings and activities at the international, regional and national levels and studies and documentation. The Commission currently had a first opportunity to make its views and suggestions known on various aspects of the preparations for the Conference. It might perhaps be useful, in that connection, to request the Secretariat to summarize those views and suggestions so that they could be presented to the Preparatory Committee, when it met in September 1991.

9. Certain broad approaches to the work of the Conference could be foreseen. One matter would certainly be the reaffirmation of United Nations standards in the field of human rights, their universality and the need to ensure the continued high level of United Nations standards and the consistency and harmony of new norms with those already established. The objectives of the Conference, as laid down in the General Assembly's resolution, clearly focused on improving the real enjoyment of human rights through improving international and, in particular, United Nations activities and mechanisms.

10. The concern for implementation might lead to consideration of the way in which international monitoring activities, both treaty- and non-treaty-based, could be so structured as to have a more, direct impact on national efforts for the promotion of human rights. That could relate to the activities leading up to the actual monitoring as well as the results of the monitoring itself. In that regard, he had been able to make some recommendations to the most recent meeting of persons chairing human rights treaty bodies. Of course, fostering the protection of human rights at the national level through the promotion of national institutions, laws and support for the participation of the people in the defence of their own human rights was of crucial importance. The role of model texts in that area could be dealt with.

11. In approaching the future, the Commission might wish to consider how to mobilize all sectors of the United Nations system in the effort to promote human rights. As experience with the fight against racism, the rights of the child and development and human rights had shown, each United Nations agency, organ, body and programme had a potentially important contribution to make. That could be expanded to the regional bodies, both human rights bodies and others, and to transregional processes, such as the Conference on Security and Co-operation in Europe.

12. Other matters for consideration could be the identification of emerging problems for research and study and the development of indicators to show progress in the realization of human rights.

13. The Conference could deal with the various issues of the future while, at the same time, reviewing the treaty-based system of implementation, the non-treaty-based procedures, advisory services and technical assistance and information aspects, the substantive issue of development and the enjoyment of all human rights and the question of emerging issues and problems. The outcome of the Conference might well be a final Proclamation.

14. Many other issues and ideas would certainly be put forward for consideration as the Commission discussed the preparation of the Conference. Already, the World Congress on Human Rights attended by non-governmental organizations held at New Delhi in December 1990, of which the Centre for Human Rights was a sponsor, had made several suggestions which would be forwarded to the Preparatory Committee. In approaching the preparations for the Conference, the Commission might also consider the possibility of associating experts from all over the world with its preparation and asking for suggestions, views and support, so that the preparation of the Conference, no less than the Conference itself, would serve to develop informed support for activities within the United Nations.

15. The Secretary-General had submitted a note (E/CN.4/1991/22) on the implementation of Commission on Human Rights resolution 1990/72.

16. Since the launching by the General Assembly in December 1988 of the World Public Information Campaign for Human Rights, the Centre for Human Rights, in co-operation with the Department of Public Information, had greatly enhanced its system-wide action for the promotion of information and education on human rights, which he considered to be the essential third leg in the triad of legislation, implementation and information, the fundamental elements of the Commission's work. The priority attached to that aspect of the human rights programme - namely, information and education - had been magnified by the growing co-operation of Member States and non-governmental organizations with which the Centre had consistently endeavoured to expand its co-operation.

17. Thus, the United Nations, in parallel with its continuing efforts in the field of standard-setting and the further refinement of the law, as well as the priority attention given to the implementation process, was placing greater emphasis than ever before on information and education, which constituted a key to the universal implementation of the body of law availiable in that field.

18. As indicated in the note by the Secretary-General (E/CN.4/1991/22) and in the report submitted to the General Assembly (A/45/590), activities for the promotion of human rights and fundamental freedoms within the framework of the campaign had been grouped into five major areas: the preparation and dissemination of printed public information and reference materials; workshops, seminars and training courses; fellowships and internships; special human rights observances; and coverage and promotion activities.

19. The Centre had continued its programme of information materials begun in 1988 in connection with the fortieth anniversary of the Universal Declaration of Human Rights. Eleven Fact Sheets had been issued, the two most

recent covering, firstly, the rights of the child and, secondly, summary and arbitrary executions. The demand for such publications was rapidly growing and more and more organizations and institutions had translated and reproduced them in non-official languages. In addition, three issues of the Human Rights Newsletter had already appeared in 1990 and a fourth was in publication.

20. Over the past year, the Centre had undertaken a number of workshops, training courses and seminars on various human rights issues. They had been held in all parts of the world: Dakar, Manila, Ottawa, Asunción, Kiev, Sofia and New Delhi.

21. Those meetings, organized under the Advisory Services and Technical Assistance programme, had also been utilized, despite their technical nature, to spread information and increase awareness of the objectives of the World Campaign, thus bringing the international community a step closer to the long-term goal of establishing a universal culture of human rights. Throughout 1990, the Centre had to that end also co-operated in the organization of, or actively participated in, some 70 workshops, seminars and meetings organized by academic and research institutions and non-governmental organizations in all parts of the world.

22. In keeping with its mandate to co-ordinate the substantive activities of the World Campaign, and those within the framework of technical assistance and co-operation in the field of human rights, the Centre convened an annual meeting of all the specialized agencies and other United Nations organs. Those meetings provided an opportunity to review and discuss ongoing activities in the areas of information and education, technical assistance and training, and to avoid overlapping and make the best use of scarce resources.

23. New co-operative endeavours in the area of promotional activities and technical assistance were being carried out or explored with the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies, as well as with non-governmental organizations.

24. Lastly, on 16 November 1990, as part of the World Campaign, the second series of human rights stamps depicting articles 7 to 12 of the Universal Declaration of Human Rights had been issued at Geneva, New York and Vienna. Stamps on the the other articles would follow. That was a major contribution of the United Nations Postal Administration to the spreading of the human rights message and making known the principles of that historic Declaration.

25. At its previous session, the Commission had adopted resolution 1990/75 entitled "Consequences of acts of violence committed by irregular armed groups and drug traffickers for the enjoyment of human rights". The Commission, while expressing its deep concern on those matters, had requested all special rapporteurs and working groups to pay particular attention to the activities of such groups in their forthcoming reports to the Commission. The Commission had also requested the Secretary-General to collect information on that question and to make it available to the special rapporteurs and working groups.

26. Further, in resolution 1990/76 entitled "Co-operation with representatives of United Nations human rights bodies", the Commission had requested all representatives of United Nations human rights bodies reporting

on violations of human rights to the Commission or the Sub-Commission on Prevention of Discrimination and Protection of Minorities to take urgent steps, in conformity with their mandates, to help prevent the occurrence of intimidation or reprisal, and to devote special attention to the question in their respective reports to the Commission or the Sub-Commission. The Commission had invited the Secretary-General to submit to the Commission, at the current session, any available information, from all appropriate sources, on reprisals against witnesses or victims of human rights violations.

27. He drew the Commission's attention to General Assembly resolutions 45/150, paragraph 9; 45/151, paragraphs 1 and 9; 45/163, paragraphs 5, 6, 7 and 9; and 45/164, paragraphs 1 and 5, all of which were of relevance to its work.

28. Turning to sub-item (b), he recalled that the General Assembly, in its resolution 44/64 paragraph 8, requested the Secretary-General to prepare, with the assistance of experts, if necessary, and incorporating materials submitted by Governments, a report containing conceptual models of national institutions for the promotion and protection of human rights, to be submitted to the Commission at its forty-seventh session (E/CN.4/1991/23).

29. The Commission, in resolution 1990/73, requested the Secretary-General to convene a workshop, to be financed from the Regular Programme of Technical Co-operation, with the participation of national and regional institutions for the promotion and protection of human rights, to review their co-operation with international institutions such as the United Nations and its bodies, with a view to increasing their effectiveness nationally and internationally and to publicize the proceedings of that meeting and to make use of their results in the finalization of the manual on national institutions under preparation by the Centre for Human Rights. That recommendation had been endorsed by the Economic and Social Council in decision 1990/241.

30. In that regard, he informed the Commission that, at the invitation of the Government of France and in co-operation with the Centre, a seminar would be organized in Paris, the proposed dates being 24-27 September 1991. The purpose of the seminar was to implement the provisions of Commission resolution 1990/73 and to set up guidelines and standards relating to the establishment of national institutions for the protection and promotion of human rights.

31. With regard to sub-item (c), he recalled that at its previous session, the Commission had adopted resolution 1990/70, in which it had requested the Secretary-General to prepare and dispatch to Governments, after each session of United Nations human rights bodies, a list containing operative paragraphs of all resolutions and decisions which required the preparation of reports and studies, together with a tentative schedule of their preparation, and to send corresponding notes verbales as soon as possible as reminders of the list.

32. He also recalled that by its decision 1990/111, the Commission had decided to postpone to the current session the consideration of draft resolution I that the Sub-Commission at its forty-first session had recommended for adoption (E/CN.4/1990/2, chap. I, sect. A). By its decision 1990/115, the Commission had decided to establish, during its forty-seventh session, a sessional working group to continue its work with a view to presenting its

recommendations to the Commission, and had encouraged delegations to hold informal consultations among themselves on the matter. The Economic and Social Council had endorsed that request in its decision 1990/249.

33. The attention of the Commission was also drawn to Economic and Social Council resolution 1990/48, by which the Council had decided to increase the membership of the Commission to 53 and to allocate the 10 additional seats among the regional groups of Africa, Asia and Latin America and the Caribbean.

34. In the same resolution, it had also taken the following decisions:

1. The enlarged membership of the Commission was to be elected in 1991, and the provisions contained in paragraphs 3, 4 and 5 of resolution 1990/48 were to take effect at the forty-eighth session of the Commission;

2. The Commission on Human Rights was authorized to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed;

3. The mandates of the thematic rapporteurs and working groups established or to be established by the Commission were, unless otherwise decided, to be of three years' duration, the Secretary-General was to provide the rapporteurs and working groups with all the assistance necessary to carry out their mandates in the best possible conditions, and all Governments were called on to co-operate fully with them and to support and promote their activities;

4. In the week following a session of the Commission, the Bureau was to meet to make suggestions about the organization of work of the Commission; and

5. The Secretary-General was to provide a report on the organizational implications of the resolution in question for consideration by the Commission on Human Rights at the current session, and the Commission was asked to submit its observations to the Economic and Social Council at its first regular session of 1991 (E/CN.4/1991/25).

35. In its resolution 45/180, the General Assembly had requested the Secretary-General to act promptly to respond to the needs of the Centre for Human Rights and to make additional specific proposals as interim solutions to those problems for the current biennium. In particular, he was to indicate the human resources required for the Centre to carry out its functions adequately, together with the related administrative and budgetary implications, and report to the Generaal Assembly at its forty-fifth session on the subject in good time for the budgetary process to be completed by the end of the forty-fifth session.

36. The General Assembly had also requested the Secretary-General to include in the proposed programme budget for the biennium 1992-1993 programme and resource proposals for long-term solutions to the problems posed by the requirements of the Centre for Human Rights and commensurate with its workload, taking into account the need to respond to the requests for advisory services and technical assistance, primarily from developing countries, and the proposals contained in the report of the Task Force on Computerization, as well as in the study carried out by an independent expert on the effective implementation of international instruments on human dignity.

37. The Secretary-General had been invited to submit an interim report to the Commission on Human Rights at its forty-seventh session and a final report to the General Assembly at its forty-sixth session on the implementation of the resolution in question under the agenda item "Report of the Economic and Social Council". A brief note on the implementation of General Assembly resolutions 45/180 and 45/248 B would be issued shortly.

38. Mr. BURDEKIN (Australia) said that his Government attached great importance to international and regional mechanisms and measures for the promotion and protection of human rights. Nevertheless, commitments at the international level, however conscientiously entered into, had limited effect without effective measures for national implementation.

39. His delegation thus strongly supported the increased attention given to national institutions in recent years in the General Assembly and the Commission on Human Rights. Australia's own human rights machinery had undergone considerable development since the submission of the information used in the preparation of the last consolidated report (E/CN.4/1987/37). The relevant material had been submitted in the country's periodic reports to the various treaty bodies. His delegation thus emphasized once again the need for improved co-ordination between the United Nations human rights bodies so as to reduce duplication of effort. The valuable study contained in document A/44/668 should continue to guide efforts in that respect.

40. His delegation also recognized the particular value of material submitted by Governments that specifically addressed conceptual models of national institutions. It was highly desirable for the Centre for Human Rights to have access to the most comprehensive and authoritative information for its preparation of a manual on national institutions and, given the limited resources available to the Centre compared with its responsibilities, that information must be made available to it in the most accessible form possible.

41. Australia's national commission maintained close ties with the Centre and had provided it with a wide range of materials. With the assistance of that commission, his Government had recently produced a concise update on the conceptual model of Australia's institutions, which would be made available shortly. His delegation encouraged all States to follow suit.

42. A variety of national measures might be adopted. In addition to the essential prerequisites of the effective rule of law, supported by an independent judiciary, free press and the protection provided by representative democratic institutions, several States had incorporated human rights instruments, particularly the International Covenant on Civil and Political Rights, directly into their domestic law. Others had reproduced provisions of those instruments in their national constitutions.

43. In Australia, national human rights legislation was based directly on the relevant United Nations instruments. Central to that legislation was its national commission, the Human Rights and Equal Opportunity Commission (HREOC). As far as his delegation was aware, Australia's was the only such commission whose functions were defined by direct reference to United Nations human rights instruments. The instruments in question were: the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women,

the Declaration on the Rights of the Child, the Declaration on the Rights of Disabled Persons, the Declaration of the Rights of Mentally Retarded Persons and the Discrimination (Employment and Occupation) Convention of 1958 (ILO Convention No. 111).

44. The HREOC had very wide powers to promote and protect human rights. It could investigate individual complaints and settle them through conciliation where possible; it could also make determinations enforcible by the federal courts. It had wide functions in promoting education and reviewing legislation and policy. It conducted public inquiries on human rights issues, at both the national and local levels. That power was particularly effective in dealing with situations that went beyond an individual complaint or which involved people who might not be able to voice a complaint, such as children or the mentally ill. To date, it had, inter alia, inquired into the situation of homeless children, the lack of services to aboriginal communities and racial violence. An inquiry into the human rights of people with mental illness was also under way; it would make use of the draft body of principles and guarantees for the protection of mentally-ill persons and for the improvement of mental health care which, he hoped, would shortly be adopted by the Commission.

45. The HREOC had the power to review all new national legislation and test it against United Nations human right standards. It could recommend changes, additional human rights laws or other action to ensure that Australia complied with its international obligations under the international human rights instruments. Legislation had already been recommended in the areas of age discrimination and the protection of the rights of people with physical and mental disabilities.

46. The HREOC prepared and published guidelines for avoiding human rights violations, intervened in court proceedings that involved human rights issues, including in the highest courts in Australia, co-ordinated human rights research and education programmes undertaken by other persons or authorities on behalf of the federal Government and conducted research and education programmes to promote human rights.

47. The HREOC's charter specifically mandated it to work with NGOs, including the carrying out of joint projects. It was currently undertaking a review of Australian law and practice relating to children, with reference to the recently adopted Convention on the Rights of the Child.

48. The importance of national commissions was being increasingly recognized at the international level. A number of national commissions, Australia's among them, had recently made significant contributions to international discussions on human rights matters. It might therefore be appropriate for the United Nations to acknowledge their role in an appropriate form.

49. One example of the practical importance of United Nations instruments in Australia and of the seriousness with which the Government regarded those standards had been a recent national inquiry concerning homeless children, which had been based on the Declaration of the Rights of the Child. As a result of the findings, the Government had modified a number of its programmes and policies and had allocated $100 million over four years for homeless and disadvantaged young people.

50. Australia looked forward to promoting with the other countries of its region both national institutions and some form of regional arrangements. The United Nations had an important role to play in facilitating such developments and in assisting the exchange of information among national and regional institutions that already existed and with Member States considering their creation.

51. Mr. de RIVERO (Peru) said that Commission resolution 1990/75, on the consequences of acts of violence committed by irregular armed groups and drug traffickers, expressed alarm at the evidence of growing links between irregular armed groups and drug traffickers. Such violence and terrorism by armed groups and drug traffickers constituted a grave threat to democracy in the countries affected and had an adverse impact on the effective enjoyment of human rights. They created an atmosphere of terror prejudicial to the holding of elections: electorates had been terrorized and candidates and legitimately elected public officials murdered. In such circumstances, it was also difficult to administer justice. Many witnesses and judges had been slain or intimidated to the extent that, in certain cases, it had even been necessary for persons to change their identity. The infrastructure and the economy had suffered serious damage also.

52. In the case of Peru, it had been estimated that, since 1980, irregular armed groups had been responsible for 18,000 deaths and had cost the economy the equivalent of six years' exports, 80 per cent of its external debt and almost 70 per cent of its gross domestic product. The main victims were peasants, but workers, teachers, shopkeepers and elected officials were also targets, in other words, the majority of the population. The fact that there had been no killings of drug traffickers showed the latter's symbiotic relationship with the irregular armed groups.

53. Despite the current difficult situation, most Peruvians continued to be devoted to their political freedoms. The increasing acts of violence and terror notwithstanding, Peru had intensified the daily practice of democracy, and a new democratic Government and parliament had been elected in July 1990.

54. By resolution 1990/75, the Commission had decided to consider the question as a matter of high priority at its forty-seventh session. It was to be hoped that the Commission would speak out against the violence and terror of the irregular armed groups and of drug traffickers and would condemn the links existing between them.

55. The international community's stand on the subject would in no way diminish the responsibility of States for observing the International Covenants on Human Rights. The Commission should, however, consider the difficulties that democratic Governments encountered in meeting their human rights commitments when terror and violence infringed upon the political, civil, economic and social rights of the population; it should continue to give priority to the question and should bring the matter to the attention of its special rapporteurs and other mechanisms.

56. Mr. HARUN-UR-RASHID (Bangladesh) said that for more than four decades the Commission had sought to give authoritative definition to the rules that constituted human rights; numerous international instruments had been promulgated to promote and protect those rights, and they defined a common standard for all. There still remained the question of implementation

however; progress in that regard depended on international co-operation. Therefore, the Commission must give serious thought, in discussing the current agenda item, to its work to achieve the requisite objectives. The time was propitious for further progress, and the overriding concern should be to make the Commission an efficient organ of the United Nations.

57. The Under-Secretary-General had rightly pointed out that the programme, as it had evolved, was based on the relationship between the preparation of international standards, the monitoring of their implementation, and their promotion through education and information. Interaction between national institutions and the Centre for Human Rights was indispensable. The question of setting up regional machinery, and the idea of creating an office of Commissioner for Human Rights, had been among the issues discussed since the 1968 World Conference on Human Rights.

58. The Commission's attention each year to human rights violations, mainly under agenda item 12, focused on civil and political rights; but there was a view that economic rights, too, should be considered under that item, and that there had been too much preoccupation with draft resolutions at the expense of other important issues. It could also be argued that attention should be given to non-judgemental forms of Commission involvement, such as good offices - in other words, whether the Commission could be involved in preventive measures. The Commission also had to focus attention on new human rights issues which had arisen in recent times. They included the link between human rights and the environment; the growing proportion of young persons, particularly in the developing countries and its social implications; and the widening gap between rich and poor nations - a challenge to the right to development.

59. The link between human rights and development was clearly indicated in article 22 of the Universal Declaration of Human Rights; and the Secretary-General, addressing the Conference on Security and Co-operation in Europe, had stated that, while democracy was a necessary condition for the recognition of basic human rights, it was not in itself sufficient to ensure their actual enjoyment. To approach human rights solely in terms of civil and political rights overlooked the direct linkage between economic and political rights: economic underdevelopment impeded the enjoyment of human rights.

60. The Sub-Commission's Special Rapporteur had attempted to show in his report (E/CN.4/Sub.2/1990/19), that poverty was a flagrant violation of human dignity. It was not simply the identification of a link between impoverishment and violation of human rights, but the urgency of the situation, which demanded attention. The subject, although complex, was worth viewing from three aspects: the causes and extent of poverty; the political dimension - an aspect regarding which the Commission had not acted adequately in the past but was beginning to tackle; and the nature of the requisite action.

61. It was time to take stock of the Commission's methods of work, and to determine the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms. First of all, the Commission's current methods must be scrutinized in detail, to determine whether the basic objectives could be better achieved by means of additional functions. To do so would mean looking

at the Commission's structure, agenda, duration, location and voting procedures. At the Commission's previous session, the suggestion of a change in venue for Commission and Sub-Commission sessions had been made. Such a change might enhance awareness of the human rights programme and improve access to human rights mechanisms.

62. His delegation had high hopes for the 1993 World Conference on Human Rights, concerning which the Commission was required to make recommendations to the relevant Preparatory Committee. It also appreciated the sustained, wide-ranging programme of public information activities, particularly the World Public Information Campaign on Human Rights, conducted by the Centre for Human Rights, and the encouraging number of requests to the Centre, for technical assistance and co-operation. The Centre's publications were particularly useful to the developing countries.

63. His delegation also noted with appreciation that the Centre was to plan, with UNESCO, a model university curriculum on human rights, as well as a workshop for world media representatives. The Centre's printing load had more than doubled as a result of its increased activities; accordingly, his delegation supported the budget envisaged for 1991, as shown in the report by the Secretary-General (E/CN.4/1991/22).

64. The Commission should think long and hard about the issues he had mentioned, and should face the challenge of the 1990s with a commitment to promote universal respect for human rights and fundamental freedoms, bearing in mind the original objectives of the Organization. The task called for courage, conviction and innovative ideas born of ethical motives.

65. Mr. ABRAM (United States of America) said that, if the forty-fifth anniversary of the Universal Declaration of Human Rights was to be honoured - and that ought to be one reason for holding the 1993 World Conference on Human Rights, it might be as well to recognize, at the outset, that the world was divided not between countries which did and did not voice their belief in human rights, but between those which did and did not protect them. The many international human rights instruments having received the signature or assent of most Governments, the Commission's major standard-setting work was done, and the time had come to show where abuses still occurred; that task might take even longer than the life of the Commission, but it should be started.

66. The defence of human rights was part of the United States political, cultural and national character; the Declaration of Independence, which had set forth those rights - to life, liberty and the pursuit of happiness - had severed ties with England, sparked a revolution in France and antedated another seminal declaration, that of the Rights of Man.

67. The outcome of the meeting between Franklin Roosevelt and Winston Churchill in August 1941 had not been a secret protocol, or a division of territorial spoils, but a pledge that their Governments would defend freedom from want and freedom from fear. That pledge had underpinned the determination to make human rights a corner-stone of the United Nations; indeed, it was as a result of intensive eleventh-hour lobbying of the United States Secretary of State by consultants with the United States delegation to the San Francisco Conference that the Charter signatories had been persuaded to give human rights a central place in that instrument.

68. Later, at the 1968 World Conference on Human Rights, it had been hoped that the two International Covenants on Human Rights would accomplish what the Charter had failed to do and oblige nations to honour, not just acknowledge, the rights set out in the Universal Declaration.

69. The subsequent record was a mixed one. The Commission's focus, year after year, on a few selected country-specific abuses left little time to discuss problems elsewhere: only two days were allowed to discuss torture throughout the world, while two weeks were devoted to Israel, the occupied territories and South Africa; entire regions were exempt from scrutiny. Drafting and standard-setting exercises continued, often on projects of narrow significance; development was discussed as a right, not a goal, thus distracting attention from core human rights abuses.

70. His delegation was not content with the status quo - in the Commission and Sub-Commission, the United States, or the world - with respect to the siutation of human rights. Some 90 Governments had signed the International Covenant on Civil and Political Rights, but the question arose how many of them respected the letter and spirit of the undertaking. The world did not need any further proclamations of human rights which remained a dead letter, or the invention of any further rights.

71. The forthcoming World Conference should be an occasion for hard, honest self-assessment instead of self-congratulation, with less talk of rights and more about their continued violation. The Commission, instead of being praised, should be examined to discover why its work was so selective and enforcement so minimal. The tasks were hard, but a beginning must be made.

72. General Assembly resolution 45/155, concerning the forthcoming World Conference, called for an assessment of progress in and obstacles to human rights since the adoption of the Universal Declaration, and urged the Conference to examine the relation between development and the enjoyment of the rights set forth in the International Covenants on Human Rights - thus properly recognizing not a "right to development" but the fact that human rights were the key to development; it also called for the implementation of existing standards, and an evaluation of the effectiveness of methods. That resolution rightly focused on compliance with the Universal Declaration and the International Covenants, and on better performance by existing United Nations human rights bodies.

73. Therefore, the Conference should discuss, in two separate committees, compliance with the International Covenants on Human Rights. It should concentrate on the full realization of civil and political rights, emphasize methods of implementation throughout the United Nations system, and promote co-ordination and information-sharing among United Nations agencies and between them and regional human rights bodies.

74. It should also be an occasion to consider the work of the Commission and other United Nations bodies, including the role of the Sub-Commission and, indeed, the question whether that body was needed. It could be an occasion to strengthen mechanisms such as the advisory services, technical assistance, the confidential procedures pursuant to Council resolution 1503 (XLVIII), and the special rapporteurs.

75. If the Conference was to yield the desired results, the participants must acknowledge and apply the lessons of the human rights revolution witnessed in 1990, and not produce just another sterile proclamation. The opportunity should be taken to assess the situation and the action required to achieve real respect for human rights. The participants should avoid distraction and obfuscation; they should not hesitate to ask why the Commission was so limited and selective in its scrutiny and censure. For example, there seemed no good reason why the Commission, or regional human rights bodies, should not produce an annual balanced and comprehensive assessment of human rights practices throughout the world. Self-criticism and honest assessment, although not always easy, were inevitably good, and should be begun.

76. Mr. FAN Guoxiang (China) said, with regard to the World Conference on Human Rights, scheduled for 1993, that the basic guidelines for dealing with human rights issues by the United Nations were to be found, first of all, in the Charter of the United Nations. Nevertheless, over a long period of time, the United Nations organs concerned with human rights issues had been shrouded in a cold-war atmosphere characterized by fierce confrontation between opposing political groups and ideologies.

77. The practice of double standards, selectiveness and utilitarianism had been prevalent. Some countries had misused human rights to pursue power politics, interfere in the internal affairs of other countries and exert political pressure on small and weak nations. That had seriously undermined international co-operation in the human rights field, poisoned international relations and impeded the realization of the objective of promoting human rights.

78. Many significant changes had since taken place in international relations. The major purposes of the forthcoming Conference should be the promotion of normal international co-operation in the field of human rights and of harmony, mutual understanding, and respect among all Member States. It should give expression to the views on human rights held by countries of different political, economic and social systems or with different historical, religious and cultural backgrounds. The practice of peddling one's own ideology and values by making use of human rights issues or of interfering in the internal affairs of other countries under the pretext of human rights would plunge the Conference into a "cold war" atmosphere and should be avoided from the outset.

79. Since the adoption of the Universal Declaration of Human Rights, the United Nations system had successfully formulated and adopted many human rights instruments, thereby greatly enriching the concept of human rights. Human rights were no longer confined to civil and political rights but included economic, social and cultural rights and collective rights such as the right to self-determination and the right to development.

80. Consequently, the 1993 Conference, in examining and reviewing United Nations activities in the human rights field, should not limit itself to the definition contained in the Universal Declaration of Human Rights. It should also take into consideration the principles established in other important human rights instruments, such as the Teheran Proclamation, adopted by the 1968 International Conference on Human Rights.

81. The Proclamation reflected new developments in international human rights activities since the adoption of the Universal Declaration and had set objectives which the human rights activities of the United Nations should strive to achieve. The 1993 Conference should, of course, have as one of its major agenda items a review of the progress made in the human rights field since the adoption of the Teheran Proclamation and the consideration of the problems that continued to exist.

82. With regard to the relationship between civil and political rights, on the one hand, and economic, social and cultural rights as well as various collective rights, on the other, he referred to General Assembly resolution 32/130, which pointed out that, in approaching human rights questions, the United Nations system should accord priority to the mass violations of human rights resulting from racial discrimination, apartheid, colonialism, foreign aggression, occupation and domination and from the refusal to recognize the right to self-determination and the full sovereignty of countries over their wealth and natural resources. It had also emphasized that full realization of civil and political rights without the enjoyment of economic, social and cultural rights was impossible.

83. While the current international situation differed greatly from that prevailing at the time of the General Assembly's thirty-second session, the kind of mass violations of human rights mentioned in the resolution still existed. The development gap between North and South and the exising international economic order still constituted major obstacles to the full enjoyment of human rights by most developing countries. His delegation therefore considered that the 1993 Conference should pay great attention to problems of that kind and should work out concrete measures for the further implementation of General Assembly resolution 32/100.

84. With regard to the actual preparation and working arrangements for the Conference, his delegation proposed, first of all, that the regional preparatory meetings to be held in 1992 should be included in the preparation programme as an important component and, in partiular, that the question of financing the meetings should be resolved as soon as possible in order to ensure that they were held according to schedule; secondly, that, to ensure that all the documents to be adopted by the Conference resulted from thorough deliberations and discussion, the Preparatory Committee should establish relevant working groups or drafting groups entrusted with that task; and thirdly, that the principle of consensus should be followed in the work of the Preparatory Committee, views and proposals from all sides being solicited throughout the preparatory process so that the documents would fully reflect the views of all sides and the spirit of international co-operation for protection of human rights.

85. Mr. LEONE (United Nations Interregional Crime and Justice Research Institute) said that UNICRI was the United Nations body responsible for crime prevention and the administration of justice. The Universal Declaration of Human Rights and other United Nations human rights instruments thus represented its permanent terms of reference in the performance of its role. Over the past few years its collaboration with the Centre for Human Rights had developed significantly to their mutual satisfaction and he would like to mention their most interesting joint endeavours.

86. In late 1989, through a generous contribution by the Italian Government, UNICRI had organized at Santo Domingo a workshop on the administration of justice in Latin America. The participants had included eminent experts, members of the judiciary and academics from Argentina, Costa Rica, Guatemala, Italy, the Dominican Republic and Uruguay. On the same occasion, the Centre for Human Rights had also organized a highly appreciated seminar.

87. In early 1990, a training and research course on social changes in Tunisia had involved social operators and administrators, mainly from Tunisia, but also from Algeria and Morocco, and had focused on juvenile justice with a significant component on human rights.

88. He had recently inaugurated at Rome a training course for Maltese police officer cadets in the methods used by the Italian police force. An important part of that course, which was still in progress, was dedicated to the United Nations and would focus on the work of UNICRI. The Centre for Human Rights would direct a working session on United Nations action in the field of human rights.

89. A series of courses on human rights, organized jointly with the Centre for Human Rights, was to be held at the Police Academy of Malta in April 1991. It was intended to provide participants with training in human rights aspects related to the specific work of the criminal investigation and security departments.

90. Drug-related activities constituted a growing area of concern. UNICRI, in close consultation with other United Nations bodies, had concentrated its efforts on the prevention of drug abuse. In order to strengthen such co-ordination, UNICRI had thought it important to set up a scientific committee with representatives from the United Nations International Programme on Drug Control and the World Health Organization. It was important that the Centre for Human Rights should also be involved in that committee, which was to hold its first meeting at Rome on 18 February 1991.

91. In conclusion, he said that, in the human rights and judicial inquiry training course on techniques of inquiry and investigation held at Rome in September 1989 and organized by the Centre and UNICRI, Colombian magistrates had discussed problems of combating drug trafficking in the general context of organized crime, human rights and crime prevention, with highly qualified scholars, policy makers and senior United Nations staff.

92. Following those achievements, UNICRI looked forward to an ever-growing collaboration with the Centre. It would spare no efforts to contribute to the effective enjoyment and promotion of human rights and fundamental freedoms.

93. Mr. LARSEN (Observer for Denmark), speaking on behalf of the Nordic countries, said that their peoples and Governments were deeply committed to pluralistic democracy, the role of law and respect for human rights. They welcomed the adoption by consensus of General Assembly resolution 45/155, by which it was decided that a World Conference on Human Rights should be convened in 1993. The Conference should serve as a powerful tool for the promotion and protection of respect for human rights.

94. One of the Conference's main objectives was to examine ways and means of improving implementation of the human rights standards and instruments that already existed. The Conference would evaluate the methods and mechanisms applied by the United Nations in the field of human rights and formulate recommendations for further improvement of the effectiveness of United Nations activities in that area.

95. On the foundation of the Universal Declaration of Human Rights, the United Nations had established an impressive and comprehensive edifice of international legal obligations in the field of human rights. Important work was being undertaken to clarify further the precise implications of civil and political rights and economic, social and cultural rights. Thus, there was a solid foundation in international law for the common efforts of the international community to promote human rights and ensure that they were realized in practice.

96. The Nordic countries held the view - shared by many other countries - that the universality of human rights was part of their very essence and that it was extremely important to improve universality in the future. That concept should be recognized in all its aspects by the World Conference.

97. It was only when States abided by their international obligations and effectively implemented the instruments to which they had subscribed that the potential of those instruments could be fully realized. The Nordic countries believed, therefore, that the World Conference should devote particular attention to securing universal adherence to and effective monitoring of compliance with the existing instruments.

98. Dialogue was the first of two key words for the further progress of international co-operation in the human rights field. It was imperative that all States should be willing to engage in sincere dialogue on all human rights issues. While it was difficult to develop formal standards to ensure genuine dialogue, the Conference could perhaps state the common political commitment to participate sincerely in dialogue on all aspects of the implementation of human rights, as recognized by the international community.

99. The second key word was transparency. The world had become much more transparent than when human rights had originally been taken up as a main theme for the United Nations. Modern communications technology, the evolution of the mass media and the development of international co-operation had made it possible to establish information on the human rights situation throughout the world much more accurately than a few decades previously. It was thus much more difficult to hide or camouflage human rights violations. Transparency was the best way of ensuring an adequate basis for co-operation on human rights.

100. A prime objective for the World Conference would be an examination of the relationship between development and the enjoyment by all of economic, social and cultural rights as well as of civil and political rights. The Nordic countries were convinced that there was a close relationship between development and the conditions for realization of human rights. They shared the view that there could be no sustainable development without democracy, rule of law and respect for human rights.

101. In that connection, he drew attention to the statement made by the Nordic Ministers of Development Co-operation meeting in Norway in September 1990 that the Nordic countries were prepared to provide active and concrete support for bilateral and multilateral efforts aimed at promoting human rights and the development of democracy. The Nordic countries viewed the World Conference as a welcome opportunity to develop those ideas further and to explore ways and means of transforming them into reality.

102. Over the past few years, United Nations activities in the field of human rights had increased significantly and, as a result, the Centre for Human Rights had been burdened with increased demand for supportive action. It was clear that, in those circumstances, the Centre required more resources if it was to carry out its task efficiently. That need for increased resources should be recognized by the competent United Nations bodies even in periods of zero-growth of the United Nations budget as a whole.

103. The Nordic countries stressed the important role of the non-governmental organizations in global efforts to promote and defend human rights. Such organizations made a crucial contribution to the formulation of relevant principles and programmes in the United Nations and represented a vital channel for promoting international awareness of human rights issues. The Nordic countries suggested that it would be appropriate for the World Conference to recognize the importance of non-governmental organizations in international interaction in the field of human rights.

104. Mr. KHOURY (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said that a speaker in the previous meeting had made a statement in which he had used inappropriate expressions and terms, trying to confuse Judaism and zionism, which were two entirely different things.

105. He wished to state unequivocally that the Syrian Arab Republic respected all religions and that his people and Government were proud of the fact that their country had presented to the world the three revealed religions. Any effort to distort its position was doomed to failure.

106. Zionism was a political, racist and reactionary movement born of nineteenth century imperialism, a movement hostile to all human values. In that connection, it should not be forgotten that the General Assembly had adopted a resolution stating that zionism was a form of racism.

107. His delegation suggested that the Commission should review its attitude with respect to certain organizations which distorted the facts and made the Commission lose valuable time.

The meeting rose at 6 p.m.